

September 12, 2005

A work session of the Akron Village Board was held on this date at 6:30 P.M. to discuss agenda items. Present: Mayor Ray M. Perkins, Trustees Carl E. Patterson, Michael R. Middaugh, and William P. Kaufman, Village Attorney Daniel D. Shonn, Esq., and Superintendent of Public Works Robert W. Kowalik.

Mayor Perkins adjourned the work session at 7:11 P.M.

A REGULAR MEETING of the Akron Village Board was held on this date at 7:30 P.M. Present: Mayor Ray M. Perkins, Trustees Carl E. Patterson, Michael R. Middaugh, and William P. Kaufman, Village Attorney Daniel D. Shonn, Esq., Superintendent Robert W. Kowalik, Chief of Police Richard C. Lauricella and Building Inspector Donnal D. Folger.

Mayor Ray M. Perkins opened the regular meeting with the pledge of allegiance.

RESOLUTION, duly moved by Patterson, seconded by Kaufman, that the Minutes of the Regular Meeting of August 1st, 2005 and of the Special Meeting of August 29th, 2005 be and hereby are approved by the Village Board.

ADOPTED	RAY M. PERKINS	- AYE
	CARL E. PATTERSON	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

RESOLUTION, duly moved by Kaufman, seconded by Middaugh, that the audit of bills is approved, and the Treasurer is authorized to pay same in accordance with the following abstract of audit vouchers:

General Fund	\$	58,131.28
Electric Fund	\$	59,360.91
Water Fund	\$	18,508.80
Sewer Fund	\$	11,654.96
Capital Streets	\$	19,141.74
Capital Water	\$	17,420.63

ADOPTED	RAY M. PERKINS	- AYE
	CARL E. PATTERSON	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

RESOLUTION, duly moved by Middaugh, seconded by Patterson, that the following building permits, be and hereby are approved with the application and approval of the Building Inspector:

Margaret Berry	15 Jackson St.	Roof	\$25.00
John VonOhlen	36 East Ave.	Roof/Siding	\$25.00
Mark Pearce	37 John St.	Roofing/Siding	\$25.00
Jeff Schnellinger	38 Cedar St.	Roof	\$25.00
Ed & Rita Buettner	83 Cedar St.	Addition	\$43.00
Virginia DiSalvo	172 East Ave.	Covered Front Porch	\$25.00
Virginia DiSalvo	172 East Ave.	Windows/Siding	\$25.00

Marty Salmon	84 Bloomingdale	Siding	\$25.00
Donald Roth	32 & 34 Shepard	Fence	\$18.00
Donald & Yvonne Snell	3 Shepard Ave.	Partial Roof Ext.	\$25.00

ADOPTED	RAY M. PERKINS	- AYE
	CARL E. PATTERSON	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

RESOLUTION, duly moved by Kaufman, seconded by Patterson, that the following sidewalk application, be and hereby is approved with the approval of the Superintendent of Public Works:

Thomas Whitbeck	81 Eckerson Ave.	12 Feet	\$72.00
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ADOPTED	RAY M. PERKINS	- AYE
	CARL E. PATTERSON	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

PUBLIC HEARING: None scheduled.

APPEARANCES –

Donnal D. Folger appeared before the Board as President of the Akron Fire Company to address the parking restrictions proposed by the NYS DOT in its letter to the Village Board, dated August 11th, 2005. Mr. Folger noted that the Akron Fire Company relies on fundraising events throughout the year to supplement funding from tax dollars and as such, every parking space in the Village around the Fire Hall is important. As such, Mr. Folger indicated that the Akron Fire Company vigorously protests restricting parking on Mechanic, Buell, Brooklyn and/or Jackson Streets. Allen Thomas also noted that, as the owner of an apartment building at Mechanic Street, he would oppose restricted parking in front of his building. David Sanford of 6 Buell Street, John Capan of 4 Mechanic Street and Doug Ceisner of 100 East Avenue all expressed support of the Akron Fire Company in its opposition to restricted parking on Mechanic, Buell, Brooklyn and/or Jackson Streets.

Mary Ann Pula appeared before the Board as Director of Hearts & Hands – Faith in Action. Ms. Pula indicated that 109 residents from the Akron/Newstead area receive services from Hearts & Hands and that 80% of the services provided by its volunteers involve transportation -- for medical appointments, chemo treatments, college classes, food pantry, and so forth. Thirteen clients are legally blind and volunteers help them with grocery shopping. Ms. Pula also noted that there is no charge for Hearts & Hands services and that it is often the safety net for those residents who must give up driving, with the added security of knowing that Hearts & Hands can help. Hearts & Hands also serves as a central pick-up point for the Going Places Van -- whose priority is transportation for medical appointments. Based upon the foregoing, Ms. Pula asked the Board to consider Hearts and Hands in its future budgetary planning. Joyce Greenley, Gerry Stratton and Carole Borchert also spoke in favor of Hearts & Hands – Faith in Action and encouraged the Board to support the organization.

Eric Glassman, President of Northern Erie Sno-Seekers Snowmobile Club appeared before the Board with a proposal to allow

this local non-profit snowmobile club to utilize the bike path through the Village. Mr. Glassman noted that safety is a priority and that by using marked and groomed trails, snowmobile traffic can be controlled, policed and maintained. Mr. Glassman also noted that the local snowmobile club is covered under the liability insurance policy of the NYS Snowmobile Association. Mr. Glassman noted that the bike/snowmobile trail to Akron would have commercial benefits – making the trail a 4-season recreational asset, with trip destinations to the Village for dining and other commercial opportunities. Veronica Eckerson, Pat McCann, and Ron Lobur all spoke in favor of opening up the bike path to snowmobile use. Gregg Brown encouraged the Board to create some off-street parking in the Cedar/Eckerson/Railroad Street area for safety in light of truck traffic on Route 93 – Cedar Street.

PUBLIC COMMENT – Douglas Ceisner of 100 East Avenue appeared before the Board to comment on among other things, the following: 1) status of reconstruction of the Parkview Drive Bridge; 2) Erie County Water for the Village of Akron; 3) flushing of hydrants within the Village; and 4) the possibility of NYS Route 93 bypass around the Village to Hake Road.

Project Reports –

Brooklyn Street Sidewalk/Restoration Project – Project complete. Remove from agenda.

RESOLUTION, duly moved by Perkins, seconded by Middaugh, scheduling a Public Hearing on October 3rd, 2005 at 7:30 P.M. to discuss the use of Federal Community Development Block Grant Funds in the Village of Akron for 2006, be and hereby is approved by the Village Board.

ADOPTED	RAY M. PERKINS	- AYE
	CARL E. PATTERSON	- AYE
	MICHAEL R. MIDDAGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

Stormwater Outlet to Murder Creek/Replacement Project – Supt. Kowalik indicated that retainage has been released to contractor. Remove from agenda.

Upper Main/Townsend Streets – Milling & Paving – Financials to be completed.

Monthly Reports –

Departments

ATTORNEYS – See agenda items.

CLERK-TREASURER – Written report for August 2005 submitted. Clerk Treasurer Daniel P. Borchert noted that he will be attending the NYCOM Fall Training at Lake Placid during the week of September 19th, 2005.

CHIEF OF POLICE – Written report for August 2005 submitted. Chief of Police Richard C. Lauricella highlighted: 1) ACS has purchased 4 walkie talkies for traffic control communication among the crossing guards and on-site officer; 2) that Superintendent of Public Works and

Chief of Police will coordinate efforts to have permanent signage placed for no parking/stopping/standing/loading on the school side of Bloomingdale Avenue between ACS High School driveway and Elementary School driveway ; and 3) that Officer Koscielniak is back, but that Officer Ritchie's available time has become limited due to his full-time teaching position.

RESOLUTION, duly moved by Patterson, seconded by Kaufman, allowing Christopher Heiderman to carry over 40 hours of vacation time for 90 days to October 15th, 2005, be and hereby is approved by the Village Board.

ADOPTED	RAY M. PERKINS	- AYE
	CARL E. PATTERSON	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

RESOLUTION, duly moved by Perkins, seconded by Kaufman, authorizing an annual step increase for crossing guard Elizabeth Miller from Grade 2 - Step #4 to Grade 2 - Step #5, effective 9/7/05, be and hereby is approved by the Village Board.

ADOPTED	RAY M. PERKINS	- AYE
	CARL E. PATTERSON	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

RESOLUTION, duly moved by Perkins, seconded by Kaufman, authorizing an annual step increase for crossing guard Dennis Abraham from Grade 2 - Step #1 to Grade 2 - Step #2, effective 9/7/05, be and hereby is approved by the Village Board.

ADOPTED	RAY M. PERKINS	- AYE
	CARL E. PATTERSON	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

RESOLUTION, duly moved by Perkins, seconded by Kaufman, authorizing an annual step increase for crossing guard Cindy Totten from Grade 2 - Step #3 to Grade 2 - Step #4, effective 9/7/05, be and hereby is approved by the Village Board.

ADOPTED	RAY M. PERKINS	- AYE
	CARL E. PATTERSON	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

SUPT. OF PUBLIC WORKS – Written report for August 2005 submitted. Superintendent Robert W. Kowalik reported that meetings are continuing with Keith Marquis P.E. relative to, among other things, emergency repairs on several main lines at Crescent Ave., East Ave., Front St., Flint Ave. and Lewis Rd. with costs up to \$50,000 to be covered under the EPA sewer grant.

RESOLUTION, duly moved by Perkins, seconded by Patterson, authorizing an annual step increase for meter readers Robert Lucia and Dale Scroger from Grade 1A - Step #4 to Grade 1A - Step #5, effective 9/13/05, be and hereby is approved by the Village Board.

ADOPTED	RAY M. PERKINS	- AYE
	CARL E. PATTERSON	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

RESOLUTION, duly moved by Patterson, seconded by Perkins, allowing Robert W. Kowalik to attend the IEEP annual meeting on October 6, 2005, in Syracuse, New York, be and hereby is approved by the Village Board.

ADOPTED	RAY M. PERKINS	- AYE
	CARL E. PATTERSON	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

RESOLUTION, duly moved by Perkins, seconded by Middaugh, allowing advertisement for an obsolete equipment sale of miscellaneous items, be and hereby is approved by the Village Board.

ADOPTED	RAY M. PERKINS	- AYE
	CARL E. PATTERSON	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

Elected Officials

JUSTICE COURT – Written reports for July and August 2005 submitted.

TRUSTEES – COORDINATORS

Trustee Kaufman – Reported 1) that approximately 300 new recycling bins have already been distributed and that 800 more remain available to all participants in the Village of Akron Refuse Program; 2) that 4 items containing freon were picked up in August; 3) that estimates to repair the roof at the sewer plant are forthcoming; and 4) that estimates for the overhead doors should be available at the next meeting.

Mayor Perkins – Reported that 1) he attended the August 1st, 2005 meeting with Brian Perry, Superintendent Robert Kowalik and Clerk-Treasurer Daniel Borchert relative to Perry's Ice Cream purchase of their part of the Village Electric Distribution assets; and 2) he has been touring the water and sewer plants recently.

Trustee Patterson – Nothing new to report.

Trustee Middaugh – Nothing new to report.

Old Business –

NYSDEC/SPEDES – Nothing new to report.

Crittenden Road Well Spill Claim – Nothing new to report.

Tinkham Road Water – Village Attorney Daniel D. Shonn reported that he received a list of home owners from Town of Darien's attorney.

Akron Fire Company Contract –

RESOLUTION, duly moved by Perkins, seconded by Patterson, scheduling a public hearing for September 19, 2005 at 7:30 P.M. for the purpose of considering the proposed contract between the Village of Akron and the Akron Fire Company, be and hereby is approved by the Village Board.

ADOPTED	RAY M. PERKINS	- AYE
	CARL E. PATTERSON	- AYE
	MICHAEL R. MIDDGAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

Comprehensive Plan – Village Board and Village Planning Board will need to schedule public hearing(s), dates yet to be determined.

No Parking – Brooklyn, Buell, Mechanic, Jackson – Issue discussed above.

Annexation – Nothing new to report.

Assessment Disclosure Notices – Pembroke & Darien – Village Attorney Daniel D. Shonn, Esq. reports that appraisals may be necessary.

HVAC Upgrade – Village Hall – Bids went out on 9/6/05 with bid openings set for 9/27/05.

Spillway West Wall Repairs – Completed. Remove from agenda.

Methane Gas Piping at Sewer Plant – Superintendent Kowalik reported that contractor has been notified re: scrap steel in dumpster to offset some costs.

Moratorium – Public Hearing re: Amend Local Law scheduled for September 19, 2005 at 7:30 P.M. Matter referred to the Village Planning Board for its recommendation.

Unlicensed Vehicle at 237 East Avenue – Building Inspector Donnal D. Folger reported that said vehicle has been licensed.

Building Inspector Donnal D. Folger also reported on the following: 1) house fire at 17 Crittenden Road may require demolition order, Village Attorney researching process; 2) Schie's cultural resource study has been received; 3) will attend meeting on 9/21/05 with building inspectors from 3 counties; 4) he checked with Town and they would take the lawn mowers from 56 Eckerson Avenue if Village crews could pick them up.

New Business:

RESOLUTION, duly moved by Perkins, seconded by Patterson, allowing Akron Police Assistance with the Akron Middle School's 4th Annual Tour de Akron on September 24, 2005, be and hereby is approved.

ADOPTED	RAY M. PERKINS	- AYE
	CARL E. PATTERSON	- AYE
	MICHAEL R. MIDDGAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

Mayor Perkins abstained from voting on the following resolution:

RESOLUTION, duly moved by Middaugh, seconded by Patterson, authorizing Village of Akron to erect the VFW National Community Service Award Sign at the Buell Street entrance to the Village, be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	MICHAEL R. MIDDGAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

RESOLUTION, duly moved by Perkins, seconded by Patterson, accepting the resignation of 4th Assistant Fire Chief Tony Bator effective August 29, 2005, be and hereby is approved.

ADOPTED	RAY M. PERKINS	- AYE
	CARL E. PATTERSON	- AYE
	MICHAEL R. MIDDGAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

RESOLUTION, duly moved by Kaufman, seconded by Perkins, approving the appointment of Dean Hyder as Acting 4th Assistant Fire Chief, effective August 29, 2005, be and hereby is approved.

ADOPTED	RAY M. PERKINS	- AYE
	CARL E. PATTERSON	- AYE
	MICHAEL R. MIDDGAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

RESOLUTION, duly moved by Patterson, seconded by Perkins, allowing the Akron Central School Homecoming Parade on Friday, September 30, 2005 at 5:30 P.M. from Brooklyn Park to Akron Central School with Akron Police Traffic Control, be and hereby is approved.

ADOPTED	RAY M. PERKINS	- AYE
	CARL E. PATTERSON	- AYE
	MICHAEL R. MIDDGAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

Correspondence –

Zoning Board of Appeals Minutes – August 16, 2005.

Planning Board Minutes – August 2, 2005.

Association of Erie County Governments meeting 9/22/05 in Springville with Congressman Brian Higgins.

Letter from Robert Scheib to the NYS DOT regarding issues on Route 93 at Westgate Avenue and Pixley's Plaza.

Town of Amherst August 2005 Operations Report.

Congressman Brian Higgins movement to replace the Buffalo Skyway.

NYCOM Press Release regarding the resignation of Executive Director Edward Farrell and the appointment of Interim Executive Director Peter Baynes.

PUBLIC COMMENT TIME – Douglas Ceisner of 100 East Avenue commented about the water transmission line from the reservoir to the Village and that a hydrant on East Avenue needed to be raised up.

On motion of Perkins, seconded by Middaugh, at 8:56 P.M. this meeting was ADJOURNED.

MAYOR

VILLAGE CLERK